

TAB 9

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

C.A. No. 04-10131-RBC

HEATHER KIERNAN,

Plaintiff

vs.

ARMORED MOTOR SERVICE OF AMERICA,

INC., and FRANCESCO CIAMBRIELLO,

Defendants

DEPOSITION OF: CHRISTINA PARROTT

MORGAN, BROWN & JOY

One Boston Place

Boston, Massachusetts

December 16, 2004 10:00 a.m.

GAYLE OHMAN

CERTIFIED SHORTHAND REPORTER

#1353S94

CHRISTINA PARROTT

December 16, 2004

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| <p style="text-align: right;">Page 34</p> <p>1 Q. And when did you start that?</p> <p>2 A. Beginning of October probably.</p> <p>3 Q. And you don't expect that to last</p> <p>4 beyond the holiday season?</p> <p>5 A. I have no idea. They haven't</p> <p>6 definitely said so I don't know.</p> <p>7 Q. When did you first meet Heather</p> <p>8 Kiernan?</p> <p>9 A. Oh, when we were younger. I have</p> <p>10 no idea how old we were or any of that. I've</p> <p>11 known her for years.</p> <p>12 Q. Did you both grow up in the same</p> <p>13 town?</p> <p>14 A. Down the street from each other.</p> <p>15 We had a mutual friend.</p> <p>16 Q. Did you know Heather Kiernan in</p> <p>17 elementary school?</p> <p>18 A. No.</p> <p>19 Q. Junior high school?</p> <p>20 A. No, I'm older than her. I knew her</p> <p>21 when I was in there, but I didn't know her from</p> <p>22 school.</p> <p>23 Q. Did you know Heather when you were</p> <p>24 in elementary school?</p> | <p style="text-align: right;">Page 35</p> <p>1 A. No, she didn't live in the same</p> <p>2 town as me.</p> <p>3 Q. What's your earliest memory of when</p> <p>4 you became friendly with Heather?</p> <p>5 MR. MCLEOD: Objection.</p> <p>6 THE WITNESS: I don't even recall.</p> <p>7 She was in high school. I may have -- I</p> <p>8 don't recall if I was friends with her</p> <p>9 while I was in high school, but I remember</p> <p>10 she was in high school.</p> <p>11 Q. (By Ms. Romantz) Did her family</p> <p>12 live on Hood Street?</p> <p>13 A. No.</p> <p>14 Q. What street did they live on?</p> <p>15 A. North Avenue.</p> <p>16 Q. And do you recall how it was that</p> <p>17 you actually met Heather?</p> <p>18 A. Through a mutual friend.</p> <p>19 Q. Who was that?</p> <p>20 A. Her name is different now. Do you</p> <p>21 want her last name then?</p> <p>22 Q. Give me her first name, maiden</p> <p>23 name, and last?</p> <p>24 A. Kelly Brown, Dyl, D-Y-L.</p> |
| <p style="text-align: right;">Page 36</p> <p>1 Q. When did you first meet John</p> <p>2 Kiernan?</p> <p>3 A. When Heather was dating him. I</p> <p>4 don't know when that was.</p> <p>5 Q. When Heather was dating John did</p> <p>6 you socialize together with the two of them?</p> <p>7 A. I think we went out maybe a few</p> <p>8 times here and there, but not very much.</p> <p>9 Q. Did you attend the wedding of John</p> <p>10 and Heather?</p> <p>11 A. Yes.</p> <p>12 Q. Did you have a role in it?</p> <p>13 A. No.</p> <p>14 Q. How old was Heather when she got</p> <p>15 married if you know?</p> <p>16 A. I don't remember how old she was.</p> <p>17 Q. Do you know how long it was that</p> <p>18 she had been dating John Kiernan?</p> <p>19 A. No. I don't remember what year she</p> <p>20 met him. I don't remember any of that.</p> <p>21 Q. Was it several years after?</p> <p>22 A. I believe, but I have -- I don't</p> <p>23 recall at all how long they were together.</p> <p>24 Q. Did you socialize with Heather and</p> | <p style="text-align: right;">Page 37</p> <p>1 John after they got married?</p> <p>2 MR. MCLEOD: Objection.</p> <p>3 THE WITNESS: I think we went out</p> <p>4 maybe once. Like, I'd go over to their</p> <p>5 house, but not go out, no.</p> <p>6 Q. (By Ms. Romantz) How frequently</p> <p>7 did you go over to their house after they got</p> <p>8 married?</p> <p>9 A. It varied. Not -- you know, maybe</p> <p>10 a couple times a week. It all depended.</p> <p>11 Q. When you went over to their house</p> <p>12 was John present in the house?</p> <p>13 A. Sometimes.</p> <p>14 Q. Where were they living; do you</p> <p>15 recall?</p> <p>16 A. When they first got married?</p> <p>17 Q. Yup.</p> <p>18 A. In North Attleboro. I don't</p> <p>19 remember the street. I know -- I can show you</p> <p>20 where it is, but I don't know what the street</p> <p>21 name is.</p> <p>22 Q. When you would go over there what</p> <p>23 would you do?</p> <p>24 A. Just talk and hang out. They</p> |

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CHRISTINA PARROTT
December 16, 2004

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| <p style="text-align: right;">Page 42</p> <p>1 Q. And to the extent that you recall 2 can you tell me what it was that she said to you 3 about what had happened that caused John to hit 4 her? 5 A. I don't recall at all what it was. 6 I just remember because I tried to take a 7 picture of it but they never came out. 8 MR. MCLEOD: Can you read back that 9 answer? 10 11 (Last answer read back) 12 13 THE WITNESS: The picture never 14 came out. 15 MS. ROMANTZ: Let's take a quick 16 break. 17 18 (Short break taken) 19 20 MS. ROMANTZ: Back on the record. 21 Q. (By Ms. Romantz) During that period 22 of time that I'm asking you about, which is from 23 when they got married to February of 2001, did 24 Heather ever talk about divorcing -- getting a</p> | <p style="text-align: right;">Page 43</p> <p>1 divorce from John? 2 A. Not to my knowledge. I don't 3 remember. I don't know which is a better way to 4 put it. 5 Q. Do you know from the period of time 6 that they got married to the time that they had 7 Matthew in 2001 whether Heather ever had an 8 extra marital affair? 9 A. No. 10 Q. You don't know? 11 A. I don't know. 12 Q. Now I want to turn to the period of 13 time after Matthew was born. And let me ask you 14 from the time that Matthew was born in February 15 of 2001 until May 19, 2001, which is the day 16 that Heather is claiming she was assaulted by 17 Francesco Ciambriello. In that period of eight 18 or nine weeks did Heather ever express to you an 19 unhappiness in being married to John Kiernan? 20 A. No. 21 Q. Did she ever express to you a 22 desire or indicate that she was thinking about 23 seeking a divorce from John? 24 A. Is this from Matthew was born</p> |
| <p style="text-align: right;">Page 44</p> <p>1 until -- 2 Q. The day of the incident. 3 A. No. 4 Q. Are you aware that John Kiernan 5 lost his job either right before Matthew was 6 born or right after Matthew was born? 7 A. Yes. 8 Q. And did you ever talk to Heather 9 about the fact that her husband had lost his 10 job? 11 A. No. 12 Q. Did Heather ever indicate to you 13 that she had anxiety because John had lost his 14 job right around the same time that her son was 15 born? 16 A. I don't recall. 17 Q. At some point after Matthew was 18 born did you learn that Heather was going to 19 look for a job? 20 A. I don't remember if she said she 21 was going to look. I remember her getting the 22 job. I don't remember how it came about. 23 Q. Did Heather ever indicate to you 24 that she didn't want to go to work because she</p> | <p style="text-align: right;">Page 45</p> <p>1 had a newborn son, but she felt she needed to 2 because her husband was unemployed? 3 MR. MCLEOD: Objection. 4 THE WITNESS: I don't know if she 5 felt she needed to. I know she wanted to 6 stay home with her son. I don't recall. 7 I remember she didn't particularly want to 8 go back to work. 9 I don't remember if she had to or 10 she felt the need to, but -- I don't know, 11 I know she didn't want to. 12 Q. (By Ms. Romantz) Was Heather 13 working at AMSA when you applied for a job 14 there? 15 A. Yes. That's how I heard of the job 16 opening. 17 Q. That was my next question. Do you 18 recall how long Heather had been working there 19 at the time? 20 A. No, I don't. It wasn't long but I 21 don't recall how long it was. 22 Q. Did she recommend AMSA as a place 23 to work? 24 A. She said they had an opening and</p> |

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CHRISTINA PARROTT

December 16, 2004

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| <p style="text-align: right;">Page 58</p> <p>1 Q. -- where she had been?</p> <p>2 MR. MCLEOD: Objection. Again, one</p> <p>3 at a time, please, for the record. Also</p> <p>4 so I can --</p> <p>5 THE WITNESS: Sorry, my mouth is</p> <p>6 dry.</p> <p>7 MR. MCLEOD: That's all right.</p> <p>8 Q. (By Ms. Romantz) Let me ask you</p> <p>9 where is the Wendy's in relation to the AMSA</p> <p>10 facility?</p> <p>11 A. Two minutes down the road. Yeah,</p> <p>12 about a mile.</p> <p>13 Q. And you drove?</p> <p>14 A. I believe so.</p> <p>15 Q. Heather was in your car?</p> <p>16 A. Yes.</p> <p>17 Q. And did Heather say anything to you</p> <p>18 at that time about anything that had occurred at</p> <p>19 AMSA that day with Tony that made her</p> <p>20 uncomfortable?</p> <p>21 A. No.</p> <p>22 Q. Did she tell you anything at all</p> <p>23 about any conversations that she had had with</p> <p>24 Tony that day?</p> | <p style="text-align: right;">Page 59</p> <p>1 A. No.</p> <p>2 Q. Did she indicate at all that she</p> <p>3 was fearful of being in the AMSA facility alone</p> <p>4 with Tony?</p> <p>5 A. No.</p> <p>6 Q. How long were you at the Wendy's?</p> <p>7 A. Not long. We went and got the food</p> <p>8 and she brought it back. So we didn't eat</p> <p>9 there, no.</p> <p>10 Q. And did you bring the food back to</p> <p>11 AMSA?</p> <p>12 A. Yes.</p> <p>13 Q. And did you eat it at AMSA?</p> <p>14 A. I don't remember if I did or I just</p> <p>15 dropped her. I don't remember.</p> <p>16 Q. And where did you go from there?</p> <p>17 A. Back home.</p> <p>18 Q. And do you recall at any time</p> <p>19 during the time that you went to AMSA to pick up</p> <p>20 Heather and when you returned to AMSA to drop</p> <p>21 her off did Tony ever exit the facility that you</p> <p>22 saw?</p> <p>23 MR. MCLEOD: Objection.</p> <p>24 THE WITNESS: Not at that time.</p> |
| <p style="text-align: right;">Page 60</p> <p>1 Q. (By Ms. Romantz) During the time</p> <p>2 that you were with Heather for this lunch break</p> <p>3 did you discuss or did you make any plans to get</p> <p>4 back together with Heather that evening after</p> <p>5 she had finished work?</p> <p>6 A. Yes.</p> <p>7 Q. And tell me what it was that the</p> <p>8 two of you discussed?</p> <p>9 A. That I was going to meet her at</p> <p>10 work and we'd decide then what we were going to</p> <p>11 do. We hadn't made any definite plans just we</p> <p>12 were going to hang out after she got out of</p> <p>13 work.</p> <p>14 Q. Did you make a definite time that</p> <p>15 you were going to meet her?</p> <p>16 A. No, she was going to call me when</p> <p>17 she was done with work because she wasn't sure</p> <p>18 what time.</p> <p>19 Q. And after you dropped Heather off</p> <p>20 where did you go?</p> <p>21 A. With my lunch back home.</p> <p>22 Q. And what did you do from the time</p> <p>23 you dropped Heather off until the time that you</p> <p>24 next heard from her?</p> | <p style="text-align: right;">Page 61</p> <p>1 A. Things at home. I don't remember.</p> <p>2 I was at home though the whole time. I don't</p> <p>3 recall what I did though.</p> <p>4 Q. Did you go to any stores?</p> <p>5 A. Not that I'm aware. I don't</p> <p>6 remember.</p> <p>7 Q. Other than going to the Wendy's did</p> <p>8 you and Heather go anywhere else during that</p> <p>9 lunch break?</p> <p>10 A. Not that I can remember. I can't</p> <p>11 really remember what I did that day at that</p> <p>12 time.</p> <p>13 Q. Do you recall whether or not you</p> <p>14 had any alcohol to drink that day?</p> <p>15 A. During the day?</p> <p>16 Q. Yes.</p> <p>17 A. No.</p> <p>18 Q. When did you next hear from</p> <p>19 Heather?</p> <p>20 A. Later. I don't recall what time it</p> <p>21 was, but she did call me later on.</p> <p>22 Q. Can you tell me about that</p> <p>23 conversation to the extent you recall anything</p> <p>24 about it?</p> |

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